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08/866,857	05/30/1997	DAVID CORBOY	06651/008001	1383

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EXAMINER
HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2178	35

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	08/866,857	CORBOY, DAVID	
	Examiner	Art Unit	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 December 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11,13-16,31-50 and 63-84* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11,13-16 and 31-50, 63-84* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is responsive to communication: amendment filed on 12/10/02 to the application filed on 05/30/97.

2. Claims 12, 51-62 are canceled.

3. Claims 63-84 are added.

4. Claims 1-11, 13-16, 31-50, 63-84 are pending in the case. Claims 1, 10, 67, 73, 79 are independent claims.

5. The rejections of claims 1, 4, 9-11, 13-16 under 35 U.S.C. 103(a) as being unpatentable over Berry have been withdrawn as necessitated by the amendment.

6. The rejections of claims 31-50 under 35 U.S.C. 103(a) as being unpatentable over Berry and further in view of Caire have been withdrawn as necessitated by the amendment.

7. The rejections of claims 2-3, 7-8 under 35 U.S.C. 103(a) as being unpatentable over Berry and further in view of Ando have been withdrawn as necessitated by the amendment.

8. The rejections of claims 5-6 under 35 U.S.C. 103(a) as being unpatentable over Berry and further in view of Johnson have been withdrawn as necessitated by the amendment.

Claim Objections

9. Claims 31, 71 and 83 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

The dependency of method claim 31, as amended, on the system claim 10 is not proper.

The dependency of method claim 71 on the computer claim 66 is not proper.

The dependency of system claim 83 on the program claim 78 is not proper.

10. Claims 69, 75, and 81 are objected to because of the following informalities: the "of the" within "... the relationship of the object to other of the objects" (lines 2-3 of these claims) should be deleted.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1-4, 9-11, 13-16, 63-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw et al., *Microsoft Office 6-in-1*, Que Corporation 1994, pages 379-380, 384-389, 396-402, 419-425, 492-496.

Regarding independent claim 1, Shaw discloses:

- creating within a single file at least two objects, each object including data for the object and choreography information, the choreography information defined by a document author and defining a relationship between the objects within a multimedia document to dictate a temporal order of presentation between the objects (pages 396-402: the collection of slides for presentation created is considered as a multimedia file including at least two slides which relate to each other to provide data for the presentation, wherein the data in each slide can be text, pictures, charts objects; pages 492-496, figure 21.2: the author of the slide presentation can enhance the slide show by setting a time for automatic slide advance to move automatically from slide to slide after a specific number of seconds)
- downloading the multimedia document to enable an ordered display of the objects by a recipient based on the temporal order defined by the document order and unaffected by an input of the recipient (pages 492-496, figure 21.2: the capability of displaying a slide presentation in order from slide to slide after a specific number of seconds suggests the downloading of the multimedia document in that specific order to display to a recipient and such order is unaffected by an input of the recipient since the order is set up in advance by the document author)

Shaw does not explicitly disclose:

- encapsulating the multimedia document so that the objects within the multimedia document relate to each other in a temporal order
- the presentation of each object is arranged so as to be independent of a bandwidth of a communication channel used to send the multimedia document to the user and to incrementally render the objects to the user according to the organization

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to incorporate said encapsulating since one can the object-oriented method to program a slide presentation using PowerPoint where encapsulating an object is one of the characteristics of the object-oriented programming.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to include the independence of a bandwidth when sending the multimedia document to a user and to render incrementally the objects to the user according to the organization for the following reason. The slides are organized in a specific order to present the topic of the slide presentation and also are organized in a temporal order to advance from slide to slide. Rendering of the slides, therefore, is not dependent on a bandwidth since the ordered display is set up in advance by the document author.

Regarding claims 2 and 3, which is dependent on claim 1, Shaw discloses

- changing one object in the data file (pages 400-402: editing slides)

- adding an object to the data file (pages 419-425: adding slides and adding text object in a slide)

Regarding claim 4, which is dependent on claim 1, Shaw discloses:

- creating an exclusionary area within the window (page 401, figure 4.4)

- locating an object within the exclusionary area, the object being selected from a group of objects including a framed image, a slide show, framed text, sound data, a separator, or a hyperlink (page 401, figure 4.4: the data in the area within the window can be text and graphics).

Regarding claim 9, which is dependent on claim 1, Shaw discloses creating an object in the file (page 385: creating a collection of slides) and locating player data within an object defining a player that plays the object (page 396-398: the textual data in each slide is displayed for viewing)

Shaw does not disclose the created object is an unknown object. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to include the created object being an unknown object for the following reason. Shaw provides the interface for each multimedia object thus no matter the object is known or unknown, the system always locates the player associated with the multimedia object.

Independent claim 10 is for a computer system of the method claim 1, and is rejected under the same rationale.

Regarding claim 11, which is dependent on claim 10, Shaw discloses that at least one object comprises one of a textual file format, an image file format, and a sound file format (page 401, figure 4.4, each slide can include text and graphic objects).

Regarding claim 13, which is dependent on claim 10, Shaw discloses that two or more objects have at least one common attribute, including at least one of a command for perception of the object, an ability to pass and receive a message, and an ability to supply and retrieve the data embodied in the object (page 495: since the display of the slides can be set in a temporal order by the document author, the slides as in the slide stream has the ability to pass and receive a message to automatically advance to the next slide to display the data in the slide).

Regarding claim 14, which is dependent on claim 10, Shaw does not disclose explicitly that each object is a generic element of the hierarchical data file structure, such that any combination of objects can be grouped together to form a part of the multimedia document. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to include that feature since it was well known that the slide presentation can contain the subsections of the subtopics

to present the topic of the presentation where the slides in the subsections are grouped together to form a part of the slide presentation.

Regarding claims 15 and 16, which are dependent on claim 10, Shaw discloses that the document forms a code segment that receives image information, and wherein the image information is used to construct an image frame for a framed image that is part of the multimedia document (pages 400-401).

Regarding claims 63 and 65, which are dependent on claims 1 and 10 respectively, Shaw discloses that the ordered display is independent of a recipient software program used to render the objects (pages 492-496, figure 21.2: the capability of displaying a slide presentation in order from slide to slide after a specific number of seconds shows that the ordered display is unaffected by an input of the recipient since the order is set up in advance by the document author; this also shows that the ordered display is independent of a recipient software program used to render the objects).

Regarding claims 64 and 66, which are dependent on claims 63 and 65 respectively, as mentioned in claims 63 and 65 above, the ordered display is independent of the browser used to render the objects so that the display is presented as defined by the document author.

Regarding independent claim 67, Shaw discloses:

- creating within a single file at least two objects (pages 396-402: the collection of slides for presentation created is considered as a multimedia file including at least two slides which relate to each other to provide data for the presentation)
- defining an explicit relationship between the objects to dictate a temporal order of presentation between the objects, wherein the explicit relationship is defined by the document author (pages 492-496, figure 21.2: the author of the slide presentation can enhance the slide show by *setting a time for automatic slide advance to move automatically from slide to slide after a specific number of seconds*)
- downloading the multimedia document to enable an ordered display of the objects by a recipient based on the temporal order defined by the document author, wherein the ordered display is unaffected by an input of the recipient (pages 492-496, figure 21.2: the capability of displaying a slide presentation in order from slide to slide after a specific number of seconds shows the downloading of the multimedia document in such order to display to a recipient and such order is unaffected by an input of the recipient since the order is set up in advance by the document author)

Shaw does not explicitly disclose encapsulating within a single file at least two objects. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to incorporate said encapsulating since one can apply the object-oriented method to program a slide presentation using PowerPoint

where encapsulating an object is one of the characteristics of the object-oriented programming.

Regarding claim 68, which is dependent on claim 67, Shaw does not explicitly disclose that the ordered display is unaffected by a bandwidth of a communication channel used to send the multimedia document.
However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to include the independence of a bandwidth when sending the multimedia document to a user and to render incrementally the objects to the user according to the organization for the following reason. The slides are organized in a specific order to present the topic of the slide presentation and also are organized in a temporal order to advance from slide to slide. Rendering of the slides, therefore, is not dependent on a bandwidth since the ordered display is set up in advance by the document author.

Regarding claim 69, which is dependent on claim 67, Shaw discloses that each object comprises data for the objects and choreography information comprising data defining the relationship of the object to other objects (pages 396-402, 492-496: the arrangement of the slides included in the slide presentation in a specific order to present the topic of the slide presentation shows that the choreography is included in the relationship among the objects).

Regarding claims 70 and 71, Shaw discloses that the ordered display is independent of a recipient software program used to render the objects (pages 492-496, figure 21.2). Shaw also discloses that the recipient software comprises a browser, and wherein the ordered display is independent of the browser (pages 492-496: as mentioned above, the display of the slide presentation is unaffected by an input of a user since the display order is defined by the document author; the ordered display, therefore, is independent from the recipient browser so that the display is rendered as defined).

Regarding claim 72, Shaw does not explicitly disclose that the document comprises an HTML page having embedded objects. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Shaw to include an HTML page having embedded objects into the document of Shaw since it was well known that one can include a HTML page with embedded objects in creating the slides.

Claims 73-78, 79-84 are for a program and a system of method claims 67-72, and are rejected under the same rationale.

13. Claims 31-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw as applied to claims 1 and 10 above, and further in view of Caire et al. (US Pat No. 5,663,962, 9/2/97, filed 9/15/95).

Regarding claim 31, which is dependent on claim 1, and claims 32-34, which are dependent on claim 31, Shaw does not disclose that the choreography information further comprises a header, an object archive for storing information about one or more objects, the object archive including information about the relationship of the object file with the document, and a multiplex section including data for the objects in the document.

Caire discloses:

- a header (col 1, lines 65 to col 2, lines 1-2, each packet in the overall stream includes a header)
- an object archive for storing information about the plurality of object files, the object archive including information about *the level of each object file with the hierarchy* (col 1, lines 65 to col 2, lines 1-2, each packet of the multimedia stream stores information; col 1, lines 37-52, it is desired for instance to *insert into the complete stream also some subtitles* to be displayed during the presentation....)
- a multiplex section including data for each of the object files of the document (col 1, lines 65 to col 2, lines 1-9, 45-59)
- the object files in the multiplex section are each played by a player as the multiplex object file is received by a receiver (col 1, lines 65 to col 2, lines 1-2)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Caire into Shaw since Caire provides the choreography and the multiplexing features for a multimedia presentation. The combination of Caire

and Shaw would provide the relationship of the objects in a multimedia document for easily controlling and changing the presentation of the objects.

Regarding claims 35, 36-39, which are dependent on claims 31 and 35 respectively, Shaw does not disclose an object number counter indicating the number of objects, a plurality of object descriptions, each object description describing a corresponding one of the objects, and a choreography group providing information about a first group of objects, a group object counter indicating the number objects in the choreography group, size and type data for each object, header data, data slices of the objects interleaved together, and placing one or more slice size data blocks before one or more of the interleaved data slices, each slice size data block corresponding to a data slice and providing a size of the corresponding data slice.

Caire discloses:

- an object number counter indicating the number of object files (col 2, lines 10-20)
- a plurality of object descriptions, each object description describing a corresponding one of the object files (col 1, lines 65 to col 2, lines 1-2, the header includes information of the type of a packet in the multimedia stream)
- a choreography group providing information about a first group of object files (col 1, lines 65 to col 2, lines 1-2, packets of different types are included in the overall stream as a sequence of intervals wherein the type of a packet is disclosed in the heading are considered as a choreography group providing information about the object files)

- size and type data for each object file (col 1, lines 65 to col 2, lines 1-2, data type of each packet in the multimedia stream)
- header data (col 1, lines 65 to col 2, lines 1-2, each packet includes a header)
- the data slices of the object files interleaved together (col 1, lines 65 to col 2, lines 1-2, the overall stream is structured as a sequence of intervals called packets, each of which contains data of single type, indicated in a header of the packet itself; since data of different types are arranged in the *sequence of intervals called packets*, the packets which are equivalent to the object files, are interleaved together)
- a first player pointer including an address of a player that plays the choreography group (col 2, lines 3-9, for each interval, the multiplexer has to decide from which the input stream it should take the data in order to construct the packets; this implies that the multiplexer has to decide where to point to play the overall stream which is equivalent to the choreography group as mentioned above)
- locating a plurality of slice size data blocks before the interleaved data slices, each slice size data block corresponding to one of the data slices and providing a size of the corresponding data slice (col 4, lines 45-53, the number of data bytes and the number of header bytes in each packet show the size of each packet which is equivalent to the data block)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Caire into Shaw since Caire provides the choreography and the multiplexing features for a multimedia presentation. The combination of Caire

and Shaw would provide the relationship of the objects in a multimedia document for easily controlling and changing the presentation of the objects.

Regarding claim 40, which is dependent on claim 31, Shaw does not disclose a non-multiplex section following the multiplex section where the non-multiplex section includes one or more separate objects that are not played by a player as the separate object files are received by a receiver. Caire discloses a plurality of separate object files that are not played by a player as the separate object files are received by a receiver (col 1, lines 37-45, ...*video and audio information* have *to be separated* again, by an inverse of demultiplexing process, as presentation occurs on different devices...). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Caire into Shaw since Caire provides the choreography and the multiplexing features for a multimedia presentation. The combination of Caire and Berry would provide the relationship of the objects in a multimedia document for easily controlling and changing the presentation of the objects.

Claims 41-50 are for a computer system of the method claims 31-40, and are rejected under the same rationale.

14. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw as applied to claim 1 above, and further in view of Ando (US Pat No. 5,600,826, 2/4/97).

Regarding claim 7, which is dependent on claim 1, Shaw does not disclose that each object has an address indicating a player that plays the object.

Ando discloses that each object has an object identifier that stores the position information of a data element (col 1, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Shaw since Ando provides the object identifier, which is an object address, to recognize the object in the multimedia document to be played.

Regarding claim 8, which is dependent on claim 1, Shaw does not disclose compressing information in each object.

Ando discloses a data compression/development device can, of course, be incorporated into a structured data processor (col 6, lines 38-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Shaw since Ando has the ability of compressing data for high-speed data transmission. This implies there is also an information compressing in each object.

15. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw as applied to claim 1 above, and further in view of Johnson (US Pat No. 5,892,847, 4/6/99, filed 4/22/96).

Regarding claims 5 and 6, which are dependent on claims 1 and 5 respectively, Shaw does not disclose defining as well as locating the update splash image within the data file.

Johnson discloses:

- splash image data defining a splash image and locating the splash image data within the data file for displaying the splash image on the computer display (col 4, lines 30-50)
- further updating the splash image to be displayed (col 4, lines 30-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Johnson Berry since Johnson shows the process of displaying of a splash image, which is an element of a multimedia document.

Response to Arguments

16. Applicant's arguments with respect to claims 1-11, 13-16, 31-50 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claims 1 and 10, Applicants argue that Berry does not disclose "choreography information being defined by a document author and comprising data defining an explicit relationship between the objects within a multimedia document to dictate a temporal order of presentation between the objects and downloading the multimedia document to enable an ordered display of the objects by a recipient based on the temporal order defined by the document author and unaffected by an input of the recipient" (Remarks, pages 6-7).

Examiner agrees.

Shaw discloses creating a slide presentation (pages 379-380, 384-389), wherein each slide can contain *text, picture, graph, organizational charts objects and other items*, and *displayed to users in order* (pages 396-402). Shaw further discloses that the author of the slide presentation can enhance the slide show by adding the transition to move from one slide to the next slide. The author can *set a time for automatic slide advance* by *choosing the option "Automatically After__ Seconds" to move automatically from slide to slide after the specified number of seconds* (pages 492-496, figure 21.2).

As such, the slide presentation is a streaming multimedia document including at least two slides of objects where *each slide relates to another slide in order* to present the topic of the presentation. The slide presentation, enhanced by the document author, can display to a user, via downloading the multimedia document, in a temporal order by setting a specific time for automatic slide advance. The downloading of the multimedia document in a temporal order for displaying to users, since set by the document author, is unaffected by an input of the recipient. The ordered display for automatic slide advance, therefore, is independent of a bandwidth of a communication channel used to send the multimedia document.

Regarding claims 31-40, 41-50, which are dependent on claims 1 and 10 respectively, Applicants argue that Caire, in combination with Berry, does not disclose "choreography information being defined by a document author and comprising data defining an explicit relationship between the objects within a multimedia document to dictate a temporal

order of presentation between the objects and downloading the multimedia document to enable an ordered display of the objects by a recipient based on the temporal order defined by the document author and unaffected by an input of the recipient" (Remarks, pages 8-9).

Examiner agrees.

Shaw, cited in this office action, discloses said feature as mentioned above.

Regarding claims 2-3, 7-8, which are dependent on claim 1, Applicants argue that Ando fails to remedy the deficiencies of Berry with respect to independent claim 1 (Remarks, page 9).

Examiner agrees.

Shaw, cited in this office action, remedies the argued feature in independent 1 as mentioned above.

Regarding claims 5-6, which are dependent on claim 1, Applicants argue that Johnson fails to remedy the deficiencies of Berry with respect to independent claim 1 (Remarks, page 10).

Examiner agrees.

Shaw, cited in this office action, remedies the argued feature in independent 1 as mentioned above.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Katseff et al. (US Pat No. 5,822,537, 10/13/98, filed 4/5/96).

Kim et al. (US Pat No. 6,219,704 B1, 4/17/01, filed 11/20/97).

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
February 22, 2003

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100